

CINNAMON MUELLER
A Professional Limited Liability Company
307 North Michigan Avenue, Suite 1020
Chicago, Illinois 60601
Telephone: 312-372-3930
Facsimile: 312-372-3939

February 17, 2005

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
455 12th Street, S.W.
Washington, D.C. 20554

Via ECFS

**Re: American Cable Association ("ACA"); Notice of Ex Parte Presentation;
EB Docket No. 04-296**

Dear Ms. Dortch:

Under 47 CFR § 1.1206(b), we electronically provide this notice of an ex parte telephone conference in EB Docket No. 04-296. On February 8, 2005, Christopher Cinnamon and Emily Denney, both of the law firm Cinnamon Mueller, spoke with Erin Dozier of Chairman Powell's office.

The purpose of the meeting was to discuss near term relief for over 1,800 very small cable systems across the United States. As discussed with Erin, and as further explained in ACA's Comments and Reply Comments, these systems face a compliance crisis as the October 2005 deadline for EAS waivers approaches. Relief should be granted pending the FCC's review of the many EAS alternatives on the record. Many of these very small systems are experiencing financial hardship, and still cannot support the cost of EAS equipment. If forced to purchase and install EAS equipment in October, many of these systems will have to shut down – a result that serves neither the public interest nor the statutory goals of the Cable Act. For these small systems, the need for expedited relief in the near term is critical.

During the call, we discussed ACA's proposed amendments to 47 CFR § 11.11 as set forth in ACA's Comments. We also discussed alternative relief, including further extensions of the small system compliance deadline. Please call with any questions.

Sincerely,

_____/s/_____
Emily A. Denney